

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

RAYMOND GAUNTT, JR.,                  )  
  )  
  )  
Plaintiff,                              )  
  )  
  )  
v.                                        ) Civil No. 05-500-GMS  
  )  
  )  
DRILL INSTRUCTOR BYRD,              )  
et al.,                                 )  
  )  
Defendants.                            )

**ORDER**

WHEREAS, Raymond Gauntt, Jr., ("Gauntt"), was a prisoner incarcerated at the Sussex Correctional Institute, Georgetown, Delaware at the time he filed this 42 U.S.C. § 1983 action, along with an application to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915;

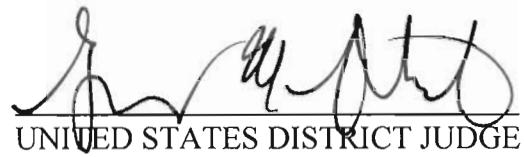
WHEREAS, on November 28, 2005, the court received a change of address for Gauntt that indicated he had been released from prison and that provided the court with his home address upon release;

WHEREAS, on March 31, 2006, the court ordered the plaintiff to either pay the balance of the filing fee he owed (\$228.50) or submit a new standard form application to proceed without prepayment of fees and affidavit within thirty days of the date of the order (D.I. 6);

WHEREAS, the time has lapsed and the plaintiff has not complied with the court's order of March 31, 2006;

THEREFORE, at Wilmington this 16<sup>th</sup> day of May, 2006, IT IS HEREBY

ORDERED that the plaintiff's complaint is DISMISSED WITHOUT PREJUDICE.



A handwritten signature in black ink, appearing to read "John A. Nett". Below the signature, the words "UNITED STATES DISTRICT JUDGE" are printed in a standard sans-serif font.